

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

IN RE: MICHAEL A. GRAL,
Debtor.

Chapter 11

**NOTICE OF MOTION FOR ORDER CONFIRMING THAT
2314 WYOMING PLACE, MILWAUKEE, WISCONSIN
IS NOT PROPERTY OF THE ESTATE**

PLEASE TAKE NOTICE that National Exchange Bank & Trust, by its attorneys, Cramer, Multhauf & Hammes, LLP, has filed a Motion for Order Confirming that 2314 Wyoming Place, Milwaukee, Wisconsin is not Property of the Estate (the "Motion"), a copy of which is attached hereto. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in the bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the matter, then no later than 14 days from the date of this notice, you or your attorney must:

1. File with the Court a written objection at:

Clerk of the U. S. Bankruptcy Court
Room 126, Federal Courthouse
517 E. Wisconsin Avenue
Milwaukee, WI 53202

If you mail your objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

Drafted by:

Attorney Daniel J. Habeck
Cramer, Multhauf & Hammes, LLP
1601 E. Racine Avenue, Suite 200
P.O. Box 558
Waukesha, WI 53187-0558
Phone: (262) 542-4278
Fax: (262) 542-4270
djh@cmhlaw.com

2. You must also mail a copy to:

| | |
|---|--|
| Office of the U. S. Trustee 517 E. Wisconsin Ave., Rm 430 Milwaukee, WI 53202 | Attorney Daniel J. Habeck Cramer, Multhauf & Hammes, LLP PO Box 558 Waukesha, WI 53187-0558 |
|---|--|

Attorney Jonathan V. Goodman
Goodman Law Offices
788 N. Jefferson St., Suite 707
Milwaukee, WI 53202-3739

Any objection should state briefly the grounds for such objection and request a hearing date. Unless a written request for hearing is filed with the Court and copies mailed as instructed above, on or before the date indicated above, an order will be entered granting the relief requested in the Motion.

Dated this 21st day of December, 2018.

CRAMER, MULTHAUF & HAMMES, LLP
Attorneys for National Exchange Bank & Trust

BY: *s/Daniel J. Habeck*
Daniel J. Habeck, SBN 1030959

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

IN RE: MICHAEL A. GRAL,
Debtor.

Chapter 11
Case No. 16-21329-gmh

**MOTION FOR ORDER CONFIRMNG THAT
2314 WYOMING PLACE, MILWAUKEE, WISCONSIN
IS NOT PROPERTY OF THE ESTATE**

NOW COMES National Exchange Bank & Trust (“NEBT”), by its attorneys, Cramer, Multhauf & Hammes, LLP, by Daniel J. Habeck, and requests the Court enter an order either confirming that property owned by Integral Wyoming 2314, LLC, at 2314 Wyoming Place, Milwaukee, Wisconsin is not property of the estate in this case or subject to the stay in this case.

In support, National Exchange Bank & Trust states as follows:

1. NEBT is an unsecured creditor in this case, with its claim arising from a guaranty by the Debtor of a mortgage loan to Integral 2314 Wyoming, LLC, regarding real estate at 2314 Wyoming Place, Milwaukee, Wisconsin (“Property”).
2. NEBT filed a foreclosure on September 26, 2018, against the Property and Integral 2314 Wyoming, LLC, and in that case Integral 2314 Wyoming, LLC stipulated to judgment, including confirmation that Integral 2314 Wyoming, LLC and the Property are not subject to any automatic stay or bankruptcy proceeding.
3. The issues raised by this Motion are parallel to those raised by the Debtor in its Motion regarding 2545 North Stowell Avenue, filed September 9, 2018, ECF #1536.

Drafted by:

Attorney Daniel J. Habeck
Cramer, Multhauf & Hammes, LLP
1601 E. Racine Avenue, Suite 200
P.O. Box 558
Waukesha, WI 53187-0558
Phone: (262) 542-4278
Fax: (262) 542-4270
djh@cmhllaw.com

4. Specifically, NEBT's title company is concerned with the complicated nature of this case, the related cases, and the length of the docket, and as with the Debtor's Motion, has required confirmation that the Property is not property of the estate.

5. The Debtor has not scheduled the Property.

6. The Debtor's filings, including the Periodic Report filed today as ECF #1617 shows that the Debtor holds a 50% interest in Integral, LLC, which in turn holds a 100% interest in the owner of the Property, Integral 2314 Wyoming, LLC.

Wherefore, NEBT requests the court issue an Order clarifying that 2314 Wyoming Place, Milwaukee, Wisconsin is not property of the bankruptcy estate or subject to the stay in this case.

Dated this 21st day of December, 2018.

CRAMER, MULTHAUF & HAMMES, LLP
Attorneys for National Exchange Bank & Trust

BY: s/ Daniel J. Habeck
Daniel J. Habeck, SBN 1030959